

Appl. No. : 10/659,711  
Filed : September 11, 2003

### AMENDMENTS TO THE CLAIMS

1. to 19. (Canceled)

20. (Currently amended) A method of producing a bacteriophage able to delay inactivation by an animal's host defense system, comprising genetically engineering a bacteriophage to express a peptide molecules on its surface coat that delays inactivation of the bacteriophage by an animal's host defense system, wherein said peptide inhibits complement activation.

21. (Canceled)

22. (Original) The method according to claim 20, wherein the bacteria is selected from the group consisting of Mycobacteria, Staphylococci, Vibrio, Enterobacter, Enterococci, Escherichia, Haemophilus, Neisseria, Pseudomonas, Shigella, Serratia, Salmonella and Streptococci, and the bacteriophage can effectively lyse the bacteria.

23. (Withdrawn) The method according to claim 22, wherein the bacteria is selected from the group consisting of M. tuberculosis, M. avium-intracellulare and M. bovis.

24. (Original) The method according to claim 20, wherein the bacteriophage is administered by way of an aerosol to an animal's lungs.

25. (Original) The method according to claim 20, wherein the bacteriophage is administered at a dosage of about  $10^6$  to about  $10^{13}$  pfu/kg/day.

26. (Original) The method according to claim 25, wherein the bacteriophage is administered at a dosage of about  $10^{12}$  pfu/kg/day.

27. to 30. (Canceled)